

The Honorable Ronald B. Leighton

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA**

STATE OF WASHINGTON,

Plaintiff,

v.

DONALD TRUMP, in his official capacity as
President of the United States of America;
ERIC D. HARGAN, in his official capacity as
Acting Secretary of Health and Human
Services; U.S DEPARTMENT OF HEALTH
AND HUMAN SERVICES; STEVEN T.
MNUCHIN, in his official capacity as
Secretary of the Treasury, U.S.
DEPARTMENT OF TREASURY; R.
ALEXANDER ACOSTA, in his official
capacity as Secretary of Labor; and UNITED
STATES DEPARTMENT OF LABOR,

Defendants.

No. 2:17-cv-01510-RBL

**DEFENDANTS' NOTICE TO
WITHDRAW PENDING
MOTION**

Pursuant to LCR 7(l), defendants hereby withdraw their pending motion to dismiss or for summary judgment (ECF No. 15). On January 2, 2018, plaintiff filed a First Amended Complaint (ECF No. 45). As defendants' forthcoming response to plaintiff's First Amended Complaint, defendants intend to file a motion to dismiss for lack of jurisdiction pursuant to Fed. R. Civ. P. 12(b)(1) or for summary judgment. This motion will supplant defendants' motion to dismiss plaintiff's original Complaint in its entirety.

DATED: January 4, 2018

Respectfully submitted,

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Acting Assistant Attorney General

ETHAN P. DAVIS
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/s/ Elizabeth L. Kade
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